

16 JUN 1967

OGC HAS REVIEWED.

MEMORANDUM FOR: Office of General Counsel

SUBJECT : Government Travel Regulations -- Place of Actual Residence

1. It has been brought to our attention numerous times in recent months that CIA is far more restrictive in its travel regulations and practices than other Government agencies with respect to return travel entitlements in the event of resignation overseas or return to the U. S. short of tour for resignation or termination. The problem seems limited to interpretation of the term "place of actual residence at the time of appointment or transfer."

2. I have read many, if not all, published Comptroller General decisions on this matter and realize that place of actual residence at time of appointment need not be the place where the individual was domiciled, residing, or a legal resident at time of appointment. I believe, however, that I read an unpublished CG decision some years ago that specifically stated that the place of actual residence of an employee transferred from a PCS assignment in the U. S. was per se the PCS duty point. It is this decision, or report thereof, that has colored Agency regulations and practices for many years. Consistent therewith we have consistently refused to authorize travel to other claimed points of "actual residence" in the U. S. when employees resign overseas, or are returned short of tour for disciplinary separation, or return for voluntary resignation.

3. In many ways it appears only common sense that we not reward employees we are forced to separate for unacceptable behavior or unsatisfactory performance abroad, or those who just decide to quit, by conferring a travel benefit to place of original residence anywhere in the U. S. Equivalent terminal travel benefits are not available to employees transferred PCS [REDACTED] STATINTL Why then for a PCS transfer from Washington, D. C. to an overseas post?

4. If there is no current CG decision covering this point, it is requested that your office seek a ruling on the point. If necessary, we can provide specific cases wherein the problem has arisen.

/s/ Emmett D. Echols
Emmett D. Echols
Director of Personnel

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